

104TH CONGRESS
1ST SESSION

H. J. RES. 108

JOINT RESOLUTION

Making continuing appropriations for the fiscal
year 1996, and for other purposes.

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1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled,*

1 That the following sums are hereby appropriated, out of
2 any money in the Treasury not otherwise appropriated,
3 and out of applicable corporate or other revenues, receipts,
4 and funds, for the several departments, agencies, corpora-
5 tions, and other organizational units of Government for
6 the fiscal year 1996, and for other purposes, namely:

7 SEC. 101. (a) Such amounts as may be necessary
8 under the authority and conditions provided in the appli-
9 cable appropriations Act for the fiscal year 1995 for con-
10 tinuing projects or activities including the costs of direct
11 loans and loan guarantees (not otherwise specifically pro-
12 vided for in this joint resolution) which were conducted
13 in the fiscal year 1995 and for which appropriations,
14 funds, or other authority would be available in the follow-
15 ing appropriations Acts:

16 The Agriculture, Rural Development, Food and
17 Drug Administration, and Related Agencies Appro-
18 priations Act, 1996;

19 The Departments of Commerce, Justice, and
20 State, the Judiciary, and Related Agencies Appro-
21 priations Act, 1996, notwithstanding section 15 of
22 the State Department Basic Authorities Act of
23 1956, section 701 of the United States Information
24 and Educational Exchange Act of 1948, section 313
25 of the Foreign Relations Authorization Act, Fiscal

1 Years 1994 and 1995 (Public Law 103–236), and
2 section 53 of the Arms Control and Disarmament
3 Act;

4 The Department of Defense Appropriations
5 Act, 1996, notwithstanding section 504(a)(1) of the
6 National Security Act of 1947;

7 The District of Columbia Appropriations Act,
8 1996;

9 The Energy and Water Development Approp-
10 riations Act, 1996;

11 The Foreign Operations, Export Financing, and
12 Related Programs Appropriations Act, 1996, not-
13 withstanding section 10 of Public Law 91–672 and
14 section 15(a) of the State Department Basic Au-
15 thorities Act of 1956;

16 The Department of the Interior and Related
17 Agencies Appropriations Act, 1996;

18 The Departments of Labor, Health and Human
19 Services, and Education, and Related Agencies Ap-
20 propriations Act, 1996;

21 The Legislative Branch Appropriations Act,
22 1996;

23 The Military Construction Appropriations Act,
24 1996;

1 The Department of Transportation Appropria-
2 tions Act, 1996;

3 The Treasury, Postal Service, and General Gov-
4 ernment Appropriations Act, 1996;

5 The Departments of Veterans Affairs and
6 Housing and Urban Development, and Independent
7 Agencies Appropriations Act, 1996.

8 (b) Whenever the amount which would be made avail-
9 able or the authority which would be granted under an
10 Act listed in this section as passed by the House as of
11 October 1, 1995, is different from that which would be
12 available or granted under such Act as passed by the Sen-
13 ate as of October 1, 1995, the pertinent project or activity
14 shall be continued at a rate for operations not exceeding
15 the average of the rates permitted by the action of the
16 House or the Senate under the authority and conditions
17 provided in the applicable appropriations Act for the fiscal
18 year 1995: *Provided*, That where an item is included in
19 only one version of the Act as passed by both Houses as
20 of October 1, 1995, the pertinent project or activity shall
21 be continued under the appropriation, fund, or authority
22 granted by the one House at a rate for operations that
23 is one-half of that permitted by the action of the one
24 House under the authority and conditions provided in the
25 applicable appropriations Act for the fiscal year 1995.

1 (c) Whenever an Act listed in this section has been
2 passed by only the House or only the Senate as of October
3 1, 1995, the pertinent project or activity shall be contin-
4 ued under the appropriation, fund, or authority granted
5 by the one House at a rate for operations not exceeding
6 the current rate or the rate permitted by the action of
7 the one House, whichever is lower, and under the author-
8 ity and conditions provided in applicable appropriations
9 Acts for the fiscal year 1995.

10 SEC. 102. No appropriation or funds made available
11 or authority granted pursuant to section 101 for the De-
12 partment of Defense shall be used for new production of
13 items not funded for production in fiscal year 1995 or
14 prior years, for the increase in production rates above
15 those sustained with fiscal year 1995 funds, or to initiate,
16 resume, or continue any project, activity, operation, or or-
17 ganization which are defined as any project, subproject,
18 activity, budget activity, program element, and
19 subprogram within a program element and for investment
20 items are further defined as a P-1 line item in a budget
21 activity within an appropriation account and an R-1 line
22 item which includes a program element and subprogram
23 element within an appropriation account, for which appro-
24 priations, funds, or other authority were not available dur-
25 ing the fiscal year 1995: *Provided*, That no appropriation

1 or funds made available or authority granted pursuant to
2 section 101 for the Department of Defense shall be used
3 to initiate multi-year procurements utilizing advance pro-
4 curement funding for economic order quantity procure-
5 ment unless specifically appropriated later.

6 SEC. 103. Appropriations made by section 101 shall
7 be available to the extent and in the manner which would
8 be provided by the pertinent appropriations Act.

9 SEC. 104. No appropriation or funds made available
10 or authority granted pursuant to section 101 shall be used
11 to initiate or resume any project or activity for which ap-
12 propriations, funds, or other authority were not available
13 during the fiscal year 1995.

14 SEC. 105. No provision which is included in an appro-
15 priations Act enumerated in section 101 but which was
16 not included in the applicable appropriations Act for fiscal
17 year 1995 and which by its terms is applicable to more
18 than one appropriation, fund, or authority shall be appli-
19 cable to any appropriation, fund, or authority provided in
20 this joint resolution.

21 SEC. 106. Unless otherwise provided for in this joint
22 resolution or in the applicable appropriations Act, appro-
23 priations and funds made available and authority granted
24 pursuant to this joint resolution shall be available until
25 (a) enactment into law of an appropriation for any project

1 or activity provided for in this joint resolution, or (b) the
2 enactment of the applicable appropriations Act by both
3 Houses without any provision for such project or activity,
4 or (c) November 13, 1995, whichever first occurs.

5 SEC. 107. Appropriations made and authority grant-
6 ed pursuant to this joint resolution shall cover all obliga-
7 tions or expenditures incurred for any program, project,
8 or activity during the period for which funds or authority
9 for such project or activity are available under this joint
10 resolution.

11 SEC. 108. Expenditures made pursuant to this joint
12 resolution shall be charged to the applicable appropriation,
13 fund, or authorization whenever a bill in which such appli-
14 cable appropriation, fund, or authorization is contained is
15 enacted into law.

16 SEC. 109. No provision in the appropriations Act for
17 the fiscal year 1996 referred to in section 101 of this joint
18 resolution that makes the availability of any appropriation
19 provided therein dependent upon the enactment of addi-
20 tional authorizing or other legislation shall be effective be-
21 fore the date set forth in section 106(c) of this joint reso-
22 lution.

23 SEC. 110. Appropriations and funds made available
24 by or authority granted pursuant to this joint resolution
25 may be used without regard to the time limitations for

1 submission and approval of apportionments set forth in
2 section 1513 of title 31, United States Code, but nothing
3 herein shall be construed to waive any other provision of
4 law governing the apportionment of funds.

5 SEC. 111. Notwithstanding any other provision of
6 this joint resolution, except section 106, whenever an Act
7 listed in section 101 as passed by both the House and
8 Senate as of October 1, 1995, does not include funding
9 for an ongoing project or activity for which there is a
10 budget request, or whenever an Act listed in section 101
11 has been passed by only the House or only the Senate
12 as of October 1, 1995, and an item funded in fiscal year
13 1995 is not included in the version passed by the one
14 House, or whenever the rate for operations for an ongoing
15 project or activity provided by section 101 for which there
16 is a budget request would result in the project or activity
17 being significantly reduced, the pertinent project or activ-
18 ity may be continued under the authority and conditions
19 provided in the applicable appropriations Act for the fiscal
20 year 1995 by increasing the rate for operations provided
21 by section 101 to a rate for operations not to exceed one
22 that provides the minimal level that would enable existing
23 activities to continue. No new contracts or grants shall
24 be awarded in excess of an amount that bears the same
25 ratio to the rate for operations provided by this section

1 as the number of days covered by this resolution bears
2 to 366. For the purposes of the Act, the minimal level
3 means a rate for operations that is reduced from the cur-
4 rent rate by 10 percent.

5 SEC. 112. Notwithstanding any other provision of
6 this joint resolution, except section 106, whenever the rate
7 for operations for any continuing project or activity pro-
8 vided by section 101 or section 111 for which there is a
9 budget request would result in a furlough of Government
10 employees, that rate for operations may be increased to
11 a level that would enable the furlough to be avoided. No
12 new contracts or grants shall be awarded in excess of an
13 amount that bears the same ratio to the rate for oper-
14 ations provided by this section as the number of days cov-
15 ered by this resolution bears to 366.

16 SEC. 113. Notwithstanding any other provision of
17 this joint resolution, except sections 106, 111, and 112,
18 for those programs that had high initial rates of operation
19 or complete distribution of funding at the beginning of the
20 fiscal year in fiscal year 1995 because of distributions of
21 funding to States, foreign countries, grantees, or others,
22 similar distributions of funds for fiscal year 1996 shall
23 not be made and no grants shall be awarded for such pro-
24 grams funded by this resolution that would impinge on
25 final funding prerogatives.

1 SEC. 114. This joint resolution shall be implemented
2 so that only the most limited funding action of that per-
3 mitted in the resolution shall be taken in order to provide
4 for continuation of projects and activities.

5 SEC. 115. Notwithstanding any other provision of
6 this joint resolution, except section 106, the rates for oper-
7 ation for any continuing project or activity provided by
8 section 101 that have not been increased by the provisions
9 of section 111 or section 112 shall be reduced by 5 percent
10 but shall not be reduced below the minimal level defined
11 in section 111 or below the level that would result in a
12 furlough.

13 SEC. 116. The provisions of section 132 of the Dis-
14 trict of Columbia Appropriations Act, 1988, Public Law
15 100-202, shall not apply for this joint resolution. Included
16 in the apportionment for the Federal Payment to the Dis-
17 trict of Columbia shall be an additional \$217,000,000
18 above the amount otherwise made available by this joint
19 resolution.

20 SEC. 117. Notwithstanding any other provision of
21 this joint resolution, except section 106, the authority and
22 conditions for the application of appropriations for the Of-
23 fice of Technology Assessment as contained in the Con-
24 ference Report on the Legislative Branch Appropriations
25 Act, 1996, House Report 104-212, shall be followed when

1 applying the funding made available by this joint resolu-
2 tion.

3 SEC. 118. Notwithstanding any other provision of
4 this joint resolution, except section 106, any distribution
5 of funding under the Rehabilitation Services and Disabil-
6 ity Research account in the Department of Education may
7 be made up to an amount that bears the same ratio to
8 the rate for operation for this account provided by this
9 joint resolution as the number of days covered by this res-
10 olution bears to 366.

11 SEC. 119. Notwithstanding any other provision of
12 this joint resolution, except section 106, the authorities
13 provided under subsection (a) of section 140 of the For-
14 eign Relations Authorization Act, Fiscal Years 1994 and
15 1995 (Public Law 103-236) shall remain in effect during
16 the period of this joint resolution, notwithstanding para-
17 graph (3) of said subsection.

18 SEC. 120. Notwithstanding any other provision of
19 this joint resolution, except section 106, the amount made
20 available to the Securities and Exchange Commission,
21 under the heading Salaries and Expenses, shall include,
22 in addition to direct appropriations, the amount it collects
23 under the fee rate and offsetting collection authority con-
24 tained in Public Law 103-352, which fee rate and offset-

1 ting collection authority shall remain in effect during the
2 period of this joint resolution.

3 SEC. 121. Until enactment of legislation providing
4 funding for the entire fiscal year ending September 30,
5 1996, for the Department of the Interior and Related
6 Agencies, funds available for necessary expenses of the
7 Bureau of Mines are for continuing limited health and
8 safety and related research, materials partnerships, and
9 minerals information activities; for mineral assessments in
10 Alaska; and for terminating all other activities of the Bu-
11 reau of Mines.

12 SEC. 122. Notwithstanding any other provision of
13 this joint resolution, except section 106, funds for the En-
14 vironmental Protection Agency shall be made available in
15 the appropriation accounts which are provided in H.R.
16 2099 as reported on September 13, 1995.

17 SEC. 123. Notwithstanding any other provision of
18 this joint resolution, except section 106, the rate for oper-
19 ations for projects and activities that would be funded
20 under the heading "International Organizations and Con-
21 ferences, Contributions to International Organizations" in
22 the Departments of Commerce, Justice, and State, the Ju-
23 diciary, and Related Agencies Appropriations Act, 1996,
24 shall be the amount provided by the provisions of sections
25 101, 111, and 112 multiplied by the ratio of the number

1 of days covered by this resolution to 366 and multiplied
2 further by 1.27.

Passed the House of Representatives September 28,
1995.

Attest:

Clerk.